

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CANDACE ERMELS,

Plaintiff,

v.

SHORELINE SCHOOL DISTRICT,

Defendant.

Case No. 2:20-cv-00893-RAJ-BAT

ORDER ADOPTING REPORTS  
AND RECOMMENDATIONS  
(Dkts. 19, 34, and 51)

This matter comes before the Court on three Reports and Recommendations entered by the Honorable Brian A. Tsuchida, United States Magistrate Judge. Dkt. ## 19, 34, 51. Having reviewed the Reports and Recommendations, objections and responses thereto, and the remaining record, the Court finds and **ORDERS**:

- (1) The Court **ADOPTS** the Magistrate Judge's first Report and Recommendation on Plaintiff's first motion for default judgment. Dkt. # 19. Plaintiff's first motion for default judgment (Dkt. # 17) is **DENIED with prejudice**.<sup>1</sup>

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<sup>1</sup> When entered, the first Report and Recommendation recommended that the Court deny Plaintiff's first motion for default judgment without prejudice. Afterwards, however, Plaintiff moved for default judgment yet again (twice). The latter two motions for default judgment were the subject of the Magistrate Judge's second Report and Recommendation. Dkt. # 34. In the second Report and Recommendation, the Magistrate Judge recommended that the Court deny the second and third motions for default judgment *with* prejudice. Because the Court also adopts the second Report and Recommendation, the Court denies Plaintiff's first motion for default judgment also with prejudice.

- 1 (2) The Court **ADOPTS** the Magistrate Judge's second Report and  
2 Recommendation on Plaintiff's second and third motions for default judgment.  
3 Dkt. # 34. Plaintiff's second motion for default judgment (Dkt. # 20) and third  
4 motion for default judgment (# 28) are **DENIED with prejudice**.  
5 (3) The Court **ADOPTS** the Magistrate Judge's third Report and Recommendation  
6 on Defendant's motion to dismiss and Plaintiff's motion to serve by mail. Dkt.  
7 # 51. Defendant's motion to dismiss (Dkt. # 25) is **DENIED without**  
8 **prejudice**, and Plaintiff's motion to serve by mail (Dkt. # 29) is **DENIED**  
9 **with prejudice**.  
10 (4) Plaintiff **shall have forty-five (45) days from the date of this Order** to serve  
11 Defendant pursuant to Fed. R. Civ. P. 4. No further extensions for service  
12 shall be granted.  
13 (5) The Clerk is directed to send copies of this Order to the parties and to Judge  
14 Tsuchida.

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16 DATED this 23rd day of June, 2021.

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19 The Honorable Richard A. Jones  
20 United States District Judge  
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